

**DISTRICT JUDGE'S MINUTES
IN THE UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA – TUCSON**

U.S. District Judge: Raner C. Collins

Date: April 12, 2018

USA v. Lonnie Ray Swartz

Case Number: CR-15-01723-001-TUC-RCC (DTF)

Assistant U.S. Attorney: Wallace Kleindienst/Mary Sue Feldmeier

Attorney for Defendant: Sean Chapman/Jaime Calle, Retained

Deputy Clerk: Sherry Gammon

Court Reporter: Candy Potter

Spanish Interpreter for victim's family: Sandy Frady

Defendant: ☒ Present ☐ Not Present ☒ Released ☐ Custody ☐ Summons ☐ Writ

JURY TRIAL – Day 15

9:39 a.m. - In absence of the jury, counsel and the Court discuss the testimony of defense witness Gary Rini, jury instructions and the form of verdict. The Court rules on the Government's sealed motion (Doc. 392). Formal sealed order to follow.

The jury enters at 9:58 a.m.

Testimony of defense witness Grant Fredericks resumes.

Defense exhibit 1526 is admitted without objection for demonstrative purposes only.

Defense exhibits 1465, 1543 and 1544 are admitted without objection.

Recess taken 10:49 a.m. – 11:03 a.m.

Cross examination of the witness by Ms. Feldmeier.

11:37 a.m. – Redirect of the witness.

Defense exhibit 1470, previously admitted for demonstrative purposes, is admitted without objection.

11:47 a.m. – Defense witness Pete Hermansen is sworn and examined by Mr. Chapman.

12:09 a.m. – Cross examination of the witness by Mr. Kleindienst.

Government's exhibit 288 is admitted over objection.

Lunch recess taken 12:30 p.m. – 1:30 p.m.

Cross examination of the witness resumes.

1:41 p.m. – Redirect of the witness.

Government's exhibit 386 is admitted by defense counsel without objection.

1:58 p.m. – Defense witness Gary Rini is sworn and examined by Mr. Calle.

2:36 p.m. – No cross examination of the witness.

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Recess taken 2:38 p.m. – 2:52 p.m.

Defense witness Eugene Liscio is sworn and examined by Mr. Calle.

Defense exhibits 1499, 1503, 1452, 1453 and 1514 are admitted without objection.

Defense exhibits 1516, 1551, 1552 and 1462A are admitted without objection for demonstrative purposes only.

3:59 p.m. – Cross examination of the witness by Ms. Feldmeier.

4:07 p.m. – No redirect of the witness.

4:11 p.m. – Government’s rebuttal witness Philip Trompeter is sworn and examined by Ms. Feldmeier.

4:31 p.m. – Cross examination of the witness by Mr. Chapman.

4:50 p.m. – Redirect of the witness.

The jury is released at 4:58 p.m.

In absence of the jury, counsel and the Court discuss jury instructions and the form of verdict.

Proceedings recessed for the day at 5:10 p.m. Trial continues to **4/16/2018 at 10:00 a.m. before Chief Judge Raner C. Collins.**

Jury Trial: 6 Hours 3 Minutes

Start: 9:39 a.m.

Stop: 5:10 p.m.